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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/808,596 Confirmation No. : 5612
First Named Inventor : Oskar KAROLYI
Filed : March 25, 2004
TC/A.U. : 1733
Examiner : B. Musser

Docket No. : 029082.53319US
Customer No. : 23911

Title : A Process and Apparatus for Applying Rigidity Strips to a Foil Web

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated March 2, 2006, Applicants respectfully submit the restriction is improper and incomplete, as it fails to address claims 20-27 in the application. Based on a telephone call with the Examiner, Applicants' counsel understood a new, complete, restriction requirement was to be issued. However, as of this date, the PAIR system does not indicate that such a further action has been issued.

Accordingly, in order to formally reply to the restriction requirement, Applicants provisionally elect with traverse claims 29-37, which the Examiner has categorized into Group III. Applicants further note that claims 20-27 should correspond to Group III as well.

Moreover, Applicants traverse the restriction requirement as being improper. In particular, claims 20-27 recite a process for making a foil web for use in producing packages. Claim 29 recites an apparatus for performing the

process. And, claim 28 recites in means plus function form the apparatus for making the foil web. These inventions are not distinct as the process, as claimed, cannot be practiced by another and materially different apparatus; and, the apparatus, as claimed, cannot be used to practice another and materially different process. Indeed, here the apparatus is one that is designed to transport a sealable foil web as part of the process, and thus the Examiner's argument that the apparatus can be used with a different process is incorrect.

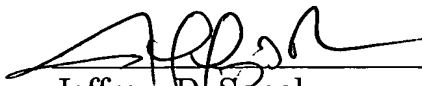
In view of the above, Applicants respectfully submit claims 20-37 should be examined together. An early notice to that effect is solicited.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #029082.53319US).

Respectfully submitted,

April 3, 2006



Jeffrey D. Sanok
Registration No. 32,169

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDS:pct